

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

NICHOLUS B. SIKORA,

Plaintiff,

vs.

NATIONAL INDEMNITY COMPANY,  
JANELLE KAY, KAREN RAINWATER,

Defendants.

**8:13CV68**

**MEMORANDUM AND ORDER**

After conferring at length with the parties,

IT IS ORDERED:

1) The plaintiff's motion to compel, (Filing No. 34), is granted in part as follows:

a. On or before October 7, 2013, the defendant shall provide copies of all emails sent from or received by Janelle Kay, Don Wurster, or Karen Rainwater between November 2012 and January 2013 which address the plaintiff's job performance, conduct evaluations, or use of FMLA leave.

b. In all other respects, the motion to compel is denied as overly broad, encompassing communications that are confidential and private, and information which is not likely to lead to the discovery of relevant information.

2) The defendants' motion for a hearing on the motion to compel, (Filing No. 41), is denied as moot.

Dated this 25th day of September, 2013.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge